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IN THE UNITED STATES PATENT AND TRADE MARK OFFICE

Minerva
11-6399

Attorney Docket No. 053466/0201

In re patent application of

Tadamitsu KISHIMOTO

Serial No. 08/817,507

Filed: April 17, 1997

Group Art Unit: 1643

Examiner: J. Reeves

RECEIVED

SEP 27 1999

For: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF
DISEASES CAUSED IL-6 PRODUCTION

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COMBINED PETITION, CERTIFICATION and
INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on a modified Form PTO-1449 is a listing of documents known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such documents are considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed after the mailing date of the final action under 37 CFR §1.113 or a notice of allowance under 37 CFR §1.311, but before payment of the issue fee. Accordingly, pursuant to 37 CFR §1.97(c), a certification and petition is required.

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CERTIFICATION

The undersigned hereby certifies in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

PETITION AND FEE

It is hereby respectfully petitioned that the listed documents be considered by the Examiner and formally made of record. A Petition fee in the amount of \$130.00 in accordance with 37 CFR §1.17(i) is attached. In the event that this petition or fee is deficient or absent, please consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.18 from Account no. 19-0741.


CONCISE EXPLANATION OF RELEVANCE OF EACH DOCUMENT

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a corresponding foreign Search Report citing such documents, together with an English-language version of that portion of the Search Report indicating the degree of relevance found by the foreign office. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

September 15, 1999
Date


for Stephen B. Maebius
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